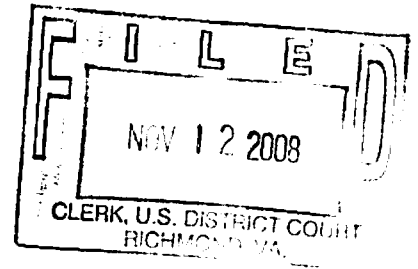


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



WESLEY LEWIS,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

CIVIL NO. 3:08CV82

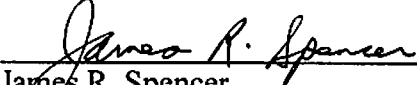
ORDER

This matter is before the Court on the Report and Recommendation of the Magistrate Judge (R&R) entered on October 24, 2008. The time to file objections has expired and neither party has objected to the R&R. Having considered the matter and deeming it otherwise proper and just to do so, it is hereby ORDERED:

- (1) The Report and Recommendation of the Magistrate Judge is ACCEPTED and ADOPTED as the OPINION of the Court.
- (2) Plaintiff's Motion for Summary Judgment (docket entry no. 11) is GRANTED.
- (3) Defendant's Motion for Summary Judgment (docket entry no. 14) is DENIED.
- (4) The decision of the Commissioner is REVERSED AND REMANDED for further proceedings.
- (5) This case is CLOSED.

Let the Clerk of the Court send a copy of this order to all counsel of record.

It is so ORDERED.



James R. Spencer
United States District Judge

Richmond, Virginia
Date: 11-11-08